

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHAD RENNINGER,)	
)	
Petitioner,)	Civil Action No. 1:21-cv-00177
)	
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
MICHAEL CLARK, <i>et al.</i>,)	
)	
Respondents.)	
)	

MEMORANDUM ORDER

On August 6, 2021, the Respondents filed a Motion to Dismiss the Petition for Writ of Habeas Corpus on the basis that Petitioner has failed to exhaust his state court remedies as required pursuant to 28 U.S.C. § 2254(b)(1)(A) because he is still litigating his PCRA petition before the Court of Common Pleas of Clarion County. (ECF No. 9.) On August 9, 2021, this Court entered an order informing the parties that instead of dismissing the Petition, it was inclined to stay this case until Petitioner finishes litigating his PCRA petition and any appeals stemming from the denial thereof. (ECF No. 11.) The parties were to advise the Court if they had any objections to proceeding in such a manner by August 24, 2021, and if no response was filed then it would be assumed that no party objects. *Id.* As of today, no response has been filed. Accordingly, this 20th day of September, 2021,

IT IS HEREBY ORDERED that Respondents' Motion to Dismiss (ECF No. 9) is **DISMISSED** without prejudice.

IT IS FURTHER ORDERED that the Clerk of Court stay and administratively close this case.

AND IT IS FURTHER ORDERED that, in the event Petitioner does not get the relief he seeks in state court, he shall file a motion to lift the stay and reopen this case within thirty (30) days of the exhaustion of his state court remedies.

/s/ Lisa Pupo Lenihan
Lisa Pupo Lenihan
United States Magistrate Judge

Cc: Counsel of record
(Via CM/ECF electronic mail)

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